

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR INCREASED TRANSPARENCY AND
5 ACCOUNTABILITY IN GOVERNMENT BY REQUIRING CERTAIN GOVERNMENT ENTITIES TO RECORD
6 THEIR PUBLIC MEETINGS IN AUDIO AND VIDEO FORMAT; REQUIRING THOSE ENTITIES TO PUBLISH
7 THE AUDIO AND VIDEO RECORDINGS TO THE GOVERNMENT WEBSITE WITHIN 1 BUSINESS DAY
8 AFTER THE PUBLIC MEETING; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 2-3-214 AND 7-
9 1-4141, MCA; AND PROVIDING AN EFFECTIVE DATE."

10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12

13 **Section 1.** Section 2-3-214, MCA, is amended to read:

14 **"2-3-214. Recording of meetings for certain boards.** (1) Except as provided in 2-3-203, the
15 following boards shall record their public meetings in ~~a~~ an audio and video or audio format:

- 16 (a) the board of investments provided for in 2-15-1808;
17 (b) the public employees' retirement board provided for in 2-15-1009;
18 (c) the teachers' retirement board provided for in 2-15-1010;
19 (d) the board of public education provided for in Article X, section 9, of the Montana constitution;

20 ~~and~~

- 21 (e) the board of regents of higher education provided for in Article X, section 9, of the Montana
22 constitution;

23 (f) the governing board of a county provided for in Title 7, chapter 1, part 21;

24 (g) the governing board of a municipality provided for in Title 7, chapter 1, part 41;

25 (h) a school district board of trustees provided for in Article X, section 8, of the Montana
26 constitution; and

27 (i) a local board of health provided for in Title 50, chapter 2, part 1.

28 ~~(2) All good faith efforts to record meetings in a video format must be made, but if a board is unable to~~

1 ~~record a meeting in a video format, it must record the meeting in an audio format.~~

2 ~~(3)(2)~~ (a) The boards listed in subsection (1) ~~must~~shall make the audio and video ~~or audio~~ recordings
3 of meetings under subsection (1) publicly available within 1 business day after the meeting through broadcast
4 on the state government broadcasting service as provided in 5-11-1111 or through publication of streaming
5 audio and video ~~or audio~~ content on the respective board's website.

6 (b) The department of administration may develop a memorandum of understanding with the
7 legislative services division for broadcasting executive branch content on the state government broadcasting
8 service or live-streaming audio ~~or~~and video executive branch content over the internet."

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10 **Section 2.** Section 7-1-4141, MCA, is amended to read:

11 **"7-1-4141. Public meeting required.** (1) All meetings of municipal governing bodies, boards,
12 authorities, committees, or other entities created by a municipality ~~shall~~must be open to the public except as
13 provided in 2-3-203.

14 (2) ~~Appropriate~~ Subject to the requirements of 2-3-214, appropriate minutes ~~shall~~must be kept of
15 all public meetings and ~~shall~~must be made available ~~upon~~on request to the public for inspection and copying."

16

17 NEW SECTION. **Section 3. Appropriation.** There is appropriated \$271,500 from the state general
18 fund to the department of administration for the biennium beginning July 1, 2023. The appropriation must be
19 used to provide \$500 grants to the government agencies listed in [section 1(1)(f) through (1)(i)] for the purposes
20 of purchasing audio and video recording equipment, training staff, and updating processes to comply with the
21 requirements of [section 1]. Any funds remaining as of June 30, 2024, must revert to the general fund.

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23 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2023.

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